

Afghanistan MATOC's
W917PM-07-R-0105/W917PM-07-R-0110
Question and Answer Set #1

Question 1: Section 0800, Item F, ATTACKS FROM HOSTILE ENTITIES, states, This contract is firm fixed-price. Costs incurred in the performance of project execution that arise from the attacks of hostile entities, such as costs arising from damage to or destruction of contractor equipment and facilities, and damage to or destruction of the project prior to Government acceptance, are the sole responsibility of the contractor. The Government makes no guarantee to provide the contractor with security, and bears no obligation to reimburse the contractor for costs arising from the attacks of hostile entities. When appropriate, the Contracting Officer may provide the contractor with an equitable adjustment with respect to time - but not cost - in accordance with Clause 52.249-10, see 52.249-10(b)(1)(i) and (2).

Will the Government consider deleting this item and include a "War Risk" clause, similar to the CENTCOM War Risk clause, in this RFP?

Answer 1: The Government does not intend to delete this provision, and nor will it include a "War Risk" or similar clause in the solicitation.

Question 2: Scope of Work, Item 1.5 Life Support and Security Services states, "The Contractor shall be self-supporting. The Contractor is required to provide all life-support, communications; transportation of materials, personnel, and equipment to work sites unless otherwise specified in the separate task orders. The Contractor may be required to provide similar services to U.S. Government personnel when so specified in the task order. In addition, the Contractor is responsible for maintaining the security of its personnel, materials and equipment commensurate with the circumstances involved."

Will the Government provide indemnification to the Contractor for accidents, hostile actions and other unforeseen incidents that may be related to providing "similar services" to U.S. Government personnel?

Answer 2: No the Government will not provide indemnification for these services.

Question 3: The solicitation (W917PM-07-R-0105) states that this solicitation will include "projects estimated in the range of \$5,000,000 to \$25,000,000". Are there any task orders in excess of \$25M contemplated for this MATOC or is the Government considering a separate MATOC to address projects in the \$25M to \$100M range?

Answer 3: Individual Task Orders issued under Solicitation W917PM-07-R-0105 cannot exceed \$25M. The Government is not considering a separate MATOC to address projects in the \$25M to \$100M range. Projects over \$25M will be issued as individual solicitations/contracts.

Question 4. SECTION 9 - Fire Protection:

4.a. 9.3- FIRE PROTECTION EQUIPMENT - which says as per user, a sprinkler system is not required. In as far as NFPA/OSHA Standards for warehouse safety go, at least depending on the material being stored in the ware houses, there will be need to consider adequate protection, should a fire inevitable occur. I wish to humbly suggest that contractors be given lead way to decide on inclusion of such, both from a perspective of building codes and standards developing and value adding.

Answer 4.a: Sprinkler systems are not required and are not part of the Scope of Work.

4.b. 9.4 FIRE ALARM AND DETECTION - As per user, a fire alarm and detection is not required. Reference should be made to the NFPA standards for building construction, the need for fire detection system and the integral part such, systems play in safeguarding such a massive investment need not be over emphasized, particularly since Afghanistan does not have a fire act, fire safety standards and a strong enforcement arm to police the standards.

Answer 4.b: There is no change to the RFP as a result of this question.

4.c. 9.5 WATER SUPPLY FOR FIRE PROTECTION - As per user, water supply for fire protection is not required. Hypothetically from a what if the perspective that is, what would happen if the compound is on fire or comes under attack which leaves heavy flames which fire extinguishers wouldn't handle? From a NFPA/OSHA/FEMA perspective, there is need to address the comprehensive approach to emergency management- PPRR-Preparedness, Prevention, Response and Recovery.

Answer 4.c: There is no change to the RFP as a result of this question.

4.d. 9.6 PORTABLE FIRE EXTINGUISHERS - Dry Chemical Powder Extinguishers have been recommended as the knockdown tool of choice, which would duly combat class A,B,C D, but not class K-Kitchen fires. Under the quoted NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) NFPA 10(2002) Portable Fire Extinguishers standards- A kitchen is a food production area and in lieu of HACCP- Hazard Analysis Critical Control Points-Food Safety that is,- Dry Chemical

powder is not an option- the recommended knock down kit is Carbon dioxide.

Answer 4.d: "Purple K' extinguishers may e substituted in lieu of dry chemical extinguishers.

Question 5: As per the site plan and space utilization therein, is there any allocated fire suppression water reservoir/tank since what can be seen is a water tank that is to serve for human consumption, contrary to International and NFPA standards where an independent fire water feeding system is required?

Answer 5: No.

Question 6: Based on the need for emergency preparedness where, issues such as a fire and emergency assembly points, emergency exits, external fire points, fire detection and suppression put into consideration during the development of the site plan?

Answer 6: This question is not clearly stated. However, there are no changes to the site plan required for the topics discussed in this question.

Question 7: What fire suppression system is envisioned for the finished project since high risk areas such as the generator room, fuel tanks, and vehicle fuel points will be part of the complexes?

Answer 7: None.

Question 8: What standards of fire detection, control and suppression are envisioned for the whole complex and the warehouse in particular? Since no specifications on hydrants, dry risers and sprinklers are given in the solicitation?

Answer 8: None.

Question 9: What safety signage standards are applicable for future safeguarding of the complex?

Answer 9: None.

Question 10: Are emergency medical facilities, such as an MRS, or First Aid Station envisioned, if so where would such be located?

Answer 10: No.

Question 11: Are there any social amenities such as dining hall, gym and or indoor games area, etc. envisioned for the would be occupants?

Answer 11: Within the barracks/dining facility building, there is a dining hall and kitchen. A gym or indoor games area is not part of the Scope of Work

Question 12: Based on the 2005 tax ruling by the Afghanistan Ministry of Finance, will Task Orders associated with the above referenced solicitations be subject to the following taxes?

20% income tax on profit
2% business receipt tax on gross revenues
10% - 20% income tax on salaries

Answer 12: Please refer to FAR Clause 52.229-6 Taxes--Foreign Fixed-Price Contracts in SECTION 0700 regarding the payment of taxes.

Question 13: If two or more companies elect to form a Joint Venture for this project, would a simple, single page JV declaration or Letter of Commitment be deemed as sufficient by Government? If not, could you please advise what are the minimum requirements for a JV declaration/agreement to be acceptable by the Government?

Answer 13: Any form of agreement for a Joint Venture is acceptable to the Government if it clearly identifies all of the participants and is signed by all participants. In the event the JV offer is selected for award of the contract all of the JV partners will be required to sign the contract and all JV partners will be jointly and severally liable to the Government for execution of the work under the contract.